

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF GEORGIA
DUBLIN DIVISION

ASHLEY BROWN MUNOZ, as surviving
daughter and as the administrator
of the Estate of Jerry Lee Brown,
and JAMES NEWT BROWN, as surviving
son,

Plaintiffs,

v.

JESSICA ASKEW, individually,

Defendant.

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CV 322-175

O R D E R

The trial of this case had been scheduled to take place in Dublin, Georgia, on two prior occasions, and the parties have readied themselves for each trial setting. Each of these prior settings had to be vacated. In consideration of the Court's schedule, the availability of court staff, and in the interest of judicial economy and expediency, the trial has now been set to take place in Augusta, Georgia, on March 10, 2025. Defendant Jessica Askew objects to the location of trial, insisting that the case be tried in the Dublin Division. Plaintiffs, whose choice of forum is afforded due deference, have responded that they have no objection to trying the case in Augusta, Georgia.

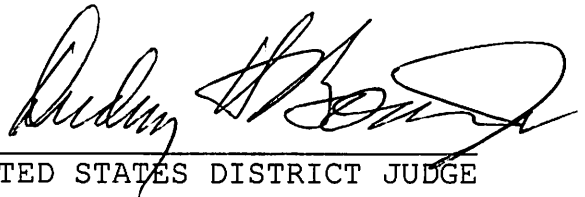
Pursuant to Local Rule 2.3, "any civil action may be transferred for trial to any other place or division within the district" by court order. In the Court's estimation, the trial can take place much sooner in Augusta than in Dublin, and this case has been delayed twice already. The subject incident in the case occurred on November 12, 2020, and every delay in the case works undue prejudice against both parties.¹ Moreover, the prisoner witnesses will appear through writ of habeas corpus *ad testificandum*; the Georgia Department of Corrections will be inconvenienced no matter the location of the trial. The attorneys in the case are all located in Atlanta, Georgia; Dublin is no more convenient to them as is Augusta. Unfortunately, Defendant Jessica Askew and potentially other witnesses will have to travel to Augusta for trial. Finally, while I disagree with the concept and the decision, the General Services Administration has limited the occupancy of the second floor (courtroom) of the Dublin Courthouse to 33 persons, pending completion of work on an emergency door. The jury venire together with the parties, witnesses and court personnel would far exceed the interim occupancy limit. Accordingly, in weighing these circumstances, particularly the need to resolve the case expeditiously, the Court will exercise

¹ Defendant has represented that its witness, Mr. Charles Thomas White, is terminally ill and is in fact imprisoned at the Augusta State Medical Prison in Augusta, Georgia.

its considerable discretion to conduct the trial in Augusta, Georgia, as scheduled.

Upon the foregoing, Defendant's objection to the location of trial is hereby **OVERRULED**.

ORDER ENTERED at Augusta, Georgia, this 13th day of February, 2025.


UNITED STATES DISTRICT JUDGE